



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
SAM NUNN
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA GEORGIA 30303-8960

August 18, 2015

Mr. Mathew Higdon
NEPA Compliance
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902

Subject: EPA NEPA Review Comments on TVA's DEIS for "Floating House Policy Review"; CEQ #20150174

Dear Mr. Higdon:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject Tennessee Valley Authority (TVA) Draft Environmental Impact Statement (DEIS) in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. It is our understanding that TVA *"has prepared this Environmental Impact Statement to assess the impacts and address environmental, safety, and socioeconomic concerns associated with the proliferation of floating houses (FHs) and non-navigable (NNs) houseboats on its reservoirs."*¹

Overview

EPA understands that TVA has seen a dramatic increase in FHs/NNs on its reservoirs and these structures have negative implications on navigation, public health, safety, the environment (especially water quality), and public recreation. TVA has had regulations in place since the early 1970s that prohibit the mooring or anchoring of new NNs on TVA reservoirs. Several revisions to regulations for NNs have allowed existing NNs on reservoirs to remain in place. TVA expects that the mooring of NNs and FHs will increase over time and the potential impacts associated with these structures will also increase. Therefore, TVA has developed this EIS to address these concerns and potential future impacts on its reservoirs.

Alternatives

TVA is considering five alternative policies to address impacts associated with floating houses and non-navigable houseboats on its reservoirs. Those alternatives are:

- **Alternative A** - Allow Existing and New Floating Houses
- **Alternative B1** - Grandfather Existing and Prohibit New
- **Alternative B2** - Grandfather but Sunset Existing and Prohibit New

¹ Cover sheet

- **Alternative C** - Prohibit New and Remove Unpermitted
- **Alternative D** - Enforce Current Regulations and Manage through Marinas and Permits

A no action alternative is also considered in the EIS and represents current management or baseline.

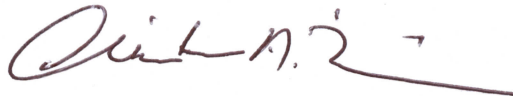
EPA DEIS Comments/Rating

EPA's primary concern with this EIS is the potential impacts to water quality associated with the increase growth of NNs/FHs. We request that TVA provide more clear direction in the FEIS relating to which standards and management actions will be adopted for each alternative discussed, especially in relation to water quality. Please see attached detailed comments.

EPA notes that TVA identified alternatives B1 and B2 as agency preferred alternatives. Because TVA has decided to select two preferred alternatives in the DEIS, EPA will rate both alternatives. A significant number of FHs/NNs would still be present on TVA reservoirs after 30 years under B1, therefore, EPA rates this alternative "EC-2" (Environmental Concerns, with additional information requested). The additional information requested is listed in the attached comments and would largely be related to the proposed management strategies that TVA would implement under B1. Under alternative B2 all FHs/NNs would be removed from TVA reservoirs by 2045. Because this alternative would have the most beneficial long term impact on the environment and the health of the reservoirs, EPA rates this alternative "LO" (Lack of Objection).

EPA appreciates the opportunity to review the DEIS. Should TVA have questions regarding our comments, please feel free to contact Dan Holliman of my staff at 404/562-9531 or holliman.daniel@epa.gov.

Sincerely,



Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration Division

Enclosures: Detailed Comments

**EPA Region 4 Detailed NEPA Comments
On TVA Float House Policy DEIS
August 17, 2015**

Alternatives Presented in DEIS:

- **No Action Alternative** - Current Management
- **Alternative A** - Allow Existing and New Floating Houses
- **Alternative B1** - Grandfather Existing and Prohibit New
- **Alternative B2** - Grandfather but Sunset Existing and Prohibit New
- **Alternative C** - Prohibit New and Remove Unpermitted
- **Alternative D** - Enforce Current Regulations and Manage through Marinas and Permits

Detailed Comments:

- **Page ES-i** - The Executive Summary (ES) should have a more clear definition of (NNs) non-navigable houseboats and (FHs) floating houses. The definitions provided in Chapter 1 are adequate, however by moving these definitions up into the ES it enhances the readability of the ES.
- **Page ES-xi** - The potential standards and management actions listed in section ES 6 would improve safety and increase water quality at TVA managed reservoirs, however TVA states that these are only “potential standards and requirements that could be considered” (emphasis on could not in text of EIS) so it is unclear how improvements in water quality and safety will be expressed across the range of alternatives without TVA committing to standards and requirements under each alternative scenario.
- **Page 1** – It is stated that “*FHs do not have permits issued by TVA.*” If FHs are already prohibited by current TVA policy it’s unclear why TVA needs to modify the current policy. This should be clarified in the FEIS.
- **Page 30** – EPA recommends providing the scoping report as an appendix to the EIS. This would allow for the public to view more specific comments from stakeholders.
- **Page 83** – Data used to support assessments of surface water recreation are from 2006-2007 surveys. Considering that these surveys are now almost 10 years old, EPA recommends updating this information to reflect more current recreational use of the TVA reservoirs.
- **Page 85-86** – The method for determining the estimated current occupancy rates should be more clearly explained in the text.
- **Page 139** - EPA understands that data on the rate of increases of FHs on the reservoirs is difficult to predict and data is limited, however, using data from Norris which has the highest number of FHs of all the TVA managed reservoirs appears to project an unrealistic growth rate for all of the lakes discussed in the EIS. EPA also notes that the 13 reservoirs that currently do not have NNs/FHs are predicted to have FHs by 2021. What

drives this assumption? It could easily be assumed that there are other factors on these reservoirs that are preventing the expansion of NNS/FHs. This should be further explored in the FEIS.

- **Tables 4.2-7 through 4.2-40** - The method for development of the economic data presented in these tables needs to be better explained either in the text of the EIS or an appendix to the EIS.
- **Table 4.2-43** – This table should be presented in color to better depict the socioeconomic outcomes of the various alternatives.
- **Table 4.10-5** – This table is not very clear. It is difficult to understand how to quantify the positive and negative impacts on water quality presented for each alternative. EPA recommends using a color chart or some other means to convey this information.